Pencil Factory Superintendent Declares the Sooner He Faces a Jury the Sooner He'll Gain His Freedom

ACCUSED OF PHAGAN CRIME, HE WELCOMES TRIAL DAY

Wife is Regular Visitor to the Tower—Frank's Time In Prison Is Spent in Reading and Playing Chess

Leo M. Frank is ready and anxious to go on trial for his life before Judge Roan in the superior court next Monday morning, according to statements he has made to friends who visited him in his cell in the tower.

"The sooner I face the jury, the sooner I will gain my liberty," he is quoted as having said.

This indicates that the factory superintendent, accused of the most atrocious crime in Atlanta's history, is confident of an acquittal.

Frank is as fit physically to face a jury as he was the day he was incarcerated. He has not had a day's sickness during his detention. He has lived regularly, getting eight hours of sleep and plenty of exercise.

The most remarkable fact about his arrest, probably, is the way his friends have stuck to his side since. Not a day has passed since he was taken to the county jail but what at least twenty relatives and acquaintances visited him. Between 6 o'clock in the morning, when his breakfast is brought from home, and 10 o'clock at night, his usual retiring hour, one or more are constantly at his side.

Chess and checkers have been two of the indicted superintendent's comforts. He plays for several hours daily with different visitors. Sometimes he holds the boards on his knee on the inside of his cell while his opponent sits on the outside of the bars, reaching through to make his moves.

On occasions, it is said, when a particularly important contest of skill was to be played visitors have been permitted to enter the cell to play. Frank is champion, it is stated.

Another diversion of Frank's is reading. A dozen of the latest magazines are always in his cell, and he keeps up with the events by reading the newspapers. At first, it is said, he became excited when reading accounts of the Phagan case, but since then he has come to view passively what is said about him. He exhibits little emotion. He has grown stoic.

WIFE CALLS REGULARLY.

Frank's routine of life includes a bath every day, an hour's physical culture exercise, and three meals a day. His food is is sent from his home three times a day. He arises about 6 or 6:30, takes a shower bath, exercises for half an hour and eats. Then he chats with friends, plays chess or checkers or reads until noon. He eats again and during the afternoon if his wife or mother calls he is taken to the dining room of the prison to converse with them.

He never receives either at his cell door. They have never seen him in his "cage." When they call at the jail they are ushered into the mess room where they await his coming in the custody of a jailer.

Although Mrs. Frank did not visit her husband for two weeks immediately following his arrest, she has been almost a daily called since. It was fear of reporters, it is said, that kept her away from the jail at first.

Since the first week after the murder, Mrs. Frank has not read a newspaper account of the police investigation.

The first accounts frightened her and drove her almost into hysterics, it is reported. After that she has relied on Frank's attorney and her husband himself of news of developments.

While there has been no intimations from the attorneys for the defense of Leo M. Frank that they will or will not go to trial on Monday morning, it was learned Saturday that practically all of the many witnesses for Frank have been served with subpoenas and are ready to appear in the court room.

There will be no definite statement relative to the trial from Attorneys Luther Z. Rosser and Reuben R. Arnold, who represent Frank, until the clerk of the court calls the name of the defendant in the sensational murder case.

The attorneys for the defense are in constant conference, and apparently are completing the preparation of their case. While it was generally thought at the beginning of the present week that the counsel for the defense would be unwilling to go to trial at this time, the opinion of court attaches is changing, and unless some extraordinary motion is made, it now appears that the trial of Frank for the murder of Mary Phagan will actually commence in the superior court before Judge L. S. Roan on Monday at 9 o'clock.

Practically all of the 144 veniremen drawn for the case by Judge John T. Pendleton have been subpenaed, and a delay of the case at this time would put the state to considerable expense.

The work of subpenaing the witnesses is being pushed by the defense and it is expected that by Saturday evening every one of its witnesses will have been served.

COURT ROOM ARRANGED.

The court room on the first floor of the old city hall, where the Frank trial will be staged, has been completely rearranged under the direction of Deputy Sheriff Plennie Minor, who will have charge during the trial.

Benches, outside of the railing, have replaced chairs, and the court room now has a seating capacity of about 250. No spectators will be admitted after the seats have been filled.

Saturday morning electricians were installing half a dozen electric fans, which will help to make things comfortable for the judge, the jury and the lawyers in the case. Besides the fans a half a dozen ozonators were installed in the court room Saturday, and they will help purify the air, which will naturally be stagnant after the crowds have been in the court room for an hour or so.

Judge L. S. Roan, who will preside at the trial, was in his chambers most of Saturday. While not in the best of health, Judge Roan has recovered from his recent attack of indigestion and expects to be on the bench Monday morning.

Solicitor General Dorsey on Saturday stated that his position with reference to the time of the trial has not changed. He is anxious that it come up on Monday, and is holding many witnesses in the city, who want to get away on their summer vacations.

The solicitor will fight any effort to delay the trial.

Newt Lee Denies Seeing Conley With Girl's Body

Attorney Bernard L. Chappell, counsel for Newt Lee, the negro night watchman at the National Pencil factory, gave out a statement Saturday afternoon in which e branded as false an alleged rumor to the effect that Newt Lee when confronted by James Conley at the county jail the other day confessed to having seen Conley carrying Mary Phagan's body into the factory basement.

Mr. Chappell states that accompanied by Attorney Reuben R. Arnold, of counsel for defense of Leo M. Frank, he went to the jail Saturday morning and asked Newt Lee regarding the alleged confession. Lee, says Mr. Chappell, declared that he had never said anything about having seen Conley with the body and also asserted that he did not remember ever to have seen Conley at all before he was brought to the jail.